



**NOISE ORDINANCE REVIEW COMMITTEE (NORC)**

**WEDNESDAY, DECEMBER 17, 2003  
6:00-8:00 p.m.**

**VILLAGE HALL/POLICE STATION  
COMMUNITY ROOM #120**

1. Attendance
2. Approval of the November 19, 2003 Minutes
3. Review of Section 17-4 Permits for Special Events
4. Review of Section 17-5 Exemptions
5. Review of Section 17-7 Penalties
6. Burglar Alarms - New section
7. Committee reviews the ordinance that was approved in previous meetings and votes to reconsider items:

|                 |                                     |
|-----------------|-------------------------------------|
| Section 17-3(h) | Loudspeaker and sound amplification |
| Section 17-3(f) | Construction                        |
8. Approval of Revised Schedule
9. Public Comment
10. Next Meeting Date

**NOISE COMPLAINTS BY YEAR AND TYPE**  
(2000 TO JULY 3, 2003)

| Year        | Type                           | Single Family & Duplex |    |    |   |       | Apartment |    |    |   |       | Commercial |    |    |   |       | Total |    |    |   |       |
|-------------|--------------------------------|------------------------|----|----|---|-------|-----------|----|----|---|-------|------------|----|----|---|-------|-------|----|----|---|-------|
|             |                                | V                      | NA | WN | C | Total | V         | NA | WN | C | Total | V          | NA | WN | C | Total | V     | NA | WN | C | Total |
| <b>2000</b> | Construction (Private)         | 3                      | 1  | 1  |   | 5     | 6         | 8  |    |   | 14    | 1          |    |    |   | 1     | 10    | 9  | 1  |   | 20    |
|             | Construction (Public)          |                        |    |    |   | 0     |           |    |    |   | 0     |            |    |    |   | 0     |       |    |    |   | 0     |
|             | Delivery Trucks (Private)      |                        | 4  | 2  |   | 6     | 5         | 8  | 1  |   | 14    | 5          |    |    |   | 5     | 10    | 12 | 3  |   | 25    |
|             | Delivery Trucks (Public)       | 1                      |    |    |   | 1     |           |    |    |   | 0     |            |    |    |   | 0     |       |    |    |   | 0     |
|             | Adult Conversation (Private)   | 5                      | 4  |    |   | 9     | 14        | 6  |    |   | 20    | 1          |    |    |   | 1     | 20    | 10 |    |   | 30    |
|             | Adult Conversation (Public)    | 1                      |    |    |   | 1     | 1         |    |    |   | 1     |            |    |    |   | 0     | 2     |    |    |   | 2     |
|             | Kids Playing Outside (Private) | 2                      |    |    |   | 2     | 5         |    |    |   | 5     |            |    |    |   | 0     | 7     |    |    |   | 7     |
|             | Kids Playing Outside (Public)  | 2                      |    |    |   | 2     | 1         |    |    |   | 1     |            |    |    |   | 0     |       |    |    |   | 3     |
|             | Alarms/Utilities (Private)     |                        |    |    |   | 0     | 1         | 1  |    |   | 2     |            |    |    |   | 0     | 1     | 1  |    |   | 2     |
|             | Alarms/Utilities (Public)      | 1                      |    |    |   | 1     |           |    |    |   | 0     |            |    |    |   | 0     | 1     |    |    |   | 1     |
|             | Barking Dog/Animal Noise       | 1                      |    |    |   | 1     |           | 2  |    |   | 2     |            |    |    |   | 0     | 1     | 2  |    |   | 3     |
|             | Loud Music                     | 63                     | 12 |    |   | 75    | 49        | 14 | 1  |   | 64    |            |    |    |   | 0     | 112   | 26 | 1  |   | 139   |
|             | Party                          | 15                     |    | 1  |   | 16    | 24        | 2  |    |   | 26    |            |    |    |   | 0     | 39    | 2  | 1  |   | 42    |
| <b>2001</b> | Construction (Private)         | 8                      | 9  | 9  |   | 26    | 5         | 9  |    |   | 14    | 2          | 2  |    |   | 4     | 15    | 20 | 9  |   | 44    |
|             | Construction (Public)          |                        |    |    |   | 0     | 1         |    |    |   | 1     |            |    |    |   | 0     | 1     |    |    |   | 1     |
|             | Delivery Trucks (Private)      |                        | 1  |    |   | 1     | 5         | 1  | 1  |   | 7     | 1          | 1  |    |   | 2     | 6     | 3  | 1  |   | 10    |
|             | Delivery Trucks (Public)       |                        |    |    |   | 0     |           | 1  |    |   | 1     |            |    |    |   | 0     | 1     |    |    |   | 1     |
|             | Adult Conversation (Private)   | 5                      | 1  |    |   | 6     | 8         | 3  |    |   | 11    |            |    |    |   | 0     | 13    | 4  |    |   | 17    |
|             | Adult Conversation (Public)    |                        |    |    |   | 0     |           |    |    |   | 0     |            |    |    |   | 0     |       |    |    |   | 0     |
|             | Kids Playing Outside (Private) | 2                      | 2  |    |   | 4     | 4         | 12 |    |   | 16    |            |    |    |   | 0     | 6     | 14 |    |   | 20    |
|             | Kids Playing Outside (Public)  | 1                      |    |    |   | 1     | 2         |    |    |   | 2     |            |    |    |   | 0     | 3     |    |    |   | 3     |
|             | Alarms/Utilities (Private)     | 1                      | 1  |    |   | 2     | 2         | 4  | 2  |   | 8     |            |    |    |   | 0     | 3     | 5  | 2  |   | 10    |
|             | Alarms/Utilities (Public)      | 1                      |    |    |   | 1     |           | 1  |    |   | 1     |            |    |    |   | 0     | 1     | 1  |    |   | 2     |
|             | Barking Dog/Animal Noise       | 5                      | 4  |    |   | 9     | 1         | 4  |    |   | 5     |            |    |    |   | 0     | 6     | 8  |    |   | 14    |
|             | Loud Music                     | 54                     | 9  | 1  |   | 64    | 52        | 8  |    |   | 60    | 2          | 1  |    |   | 3     | 108   | 18 | 1  |   | 127   |
|             | Party                          | 19                     | 2  | 1  |   | 22    | 30        | 5  | 1  |   | 36    |            |    |    |   | 0     | 49    | 7  | 2  |   | 58    |

**Legend:** V = Voluntary Compliance  
NA = No Action - violation cleared prior to police arrival  
WN = Warning notice issued  
C = Citation issued

| Year        | Type                         | Single Family & Duplex |    |    |   |       | Apartment |    |    |   |       | Commercial |    |    |   |       | Total |    |    |   |       |
|-------------|------------------------------|------------------------|----|----|---|-------|-----------|----|----|---|-------|------------|----|----|---|-------|-------|----|----|---|-------|
|             |                              | V                      | NA | WN | C | Total | V         | NA | WN | C | Total | V          | NA | WN | C | Total | V     | NA | WN | C | Total |
| <b>2002</b> | Construction (Private)       | 30                     | 8  | 2  |   | 40    | 11        | 6  |    |   | 17    |            |    |    |   | 0     | 41    | 14 | 2  |   | 57    |
|             | Construction (Public)        | 1                      |    |    |   | 1     |           |    |    |   | 0     |            |    |    |   | 0     | 1     |    |    |   | 1     |
|             | Delivery Trucks (Private)    |                        |    |    |   | 0     | 4         | 5  |    |   | 9     | 2          | 1  |    |   | 3     | 6     | 6  | 1  |   | 13    |
|             | Delivery Trucks (Public)     |                        |    |    |   | 0     |           |    |    |   | 0     |            |    |    |   | 0     |       |    |    |   | 0     |
|             | Adult Conversation (Private) | 3                      | 3  |    |   | 6     | 7         | 1  |    |   | 8     |            |    |    |   | 0     | 10    | 4  |    |   | 14    |

|       |                                |     |     |    |   |     |  |     |     |   |   |     |  |    |   |   |   |    |    |     |     |    |    |      |
|-------|--------------------------------|-----|-----|----|---|-----|--|-----|-----|---|---|-----|--|----|---|---|---|----|----|-----|-----|----|----|------|
|       | Adult Conversation (Public)    | 1   |     |    |   | 1   |  | 1   |     |   |   | 1   |  |    |   |   | 0 |    | 2  |     |     |    | 2  |      |
|       | Kids Playing Outside (Private) | 1   | 1   |    |   | 2   |  | 6   | 6   |   |   | 12  |  | 1  |   |   | 1 |    | 8  | 7   |     |    | 15 |      |
|       | Kids Playing Outside (Public)  |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Alarms/Utilities (Private)     | 4   | 2   |    |   | 6   |  | 4   | 3   |   |   | 7   |  |    |   |   | 0 |    | 8  | 5   |     |    | 13 |      |
|       | Alarms/Utilities (Public)      |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Barking Dog/Animal Noise       | 10  | 9   |    |   | 19  |  |     | 1   |   |   | 1   |  |    |   |   | 0 |    | 10 | 10  |     |    | 20 |      |
|       | Loud Music                     | 36  | 11  |    |   | 47  |  | 33  | 11  | 1 |   | 45  |  | 4  |   |   | 4 |    | 73 | 22  | 1   |    | 96 |      |
|       | Party                          | 30  | 4   | 5  |   | 39  |  | 45  | 10  |   |   | 55  |  |    |   |   | 0 |    | 75 | 14  | 5   |    | 94 |      |
|       |                                |     |     |    |   |     |  |     |     |   |   |     |  |    |   |   |   |    |    |     |     |    |    |      |
| 2003  | Construction (Private)         | 14  | 10  | 2  |   | 26  |  | 9   | 4   | 1 |   | 14  |  | 2  |   |   | 2 |    | 25 | 14  | 3   |    | 42 |      |
|       | Construction (Public)          |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Delivery Trucks (Private)      |     |     |    |   | 0   |  | 2   | 3   |   |   | 5   |  | 1  | 1 |   | 2 |    | 3  | 4   |     |    | 7  |      |
|       | Delivery Trucks (Public)       |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Adult Conversation (Private)   | 2   | 1   |    |   | 3   |  | 5   | 2   |   |   | 7   |  |    |   |   | 0 |    | 7  | 3   |     |    | 10 |      |
|       | Adult Conversation (Public)    |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Kids Playing Outside (Private) |     | 3   |    |   | 3   |  | 1   | 3   |   |   | 4   |  |    | 1 |   | 1 |    | 1  | 7   |     |    | 8  |      |
|       | Kids Playing Outside (Public)  |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Alarms/Utilities (Private)     | 1   | 1   |    |   | 2   |  | 3   | 2   |   |   | 5   |  |    |   |   | 0 |    | 4  | 3   |     |    | 7  |      |
|       |                                |     |     |    |   | 0   |  |     |     |   |   | 0   |  |    |   |   | 0 |    |    |     |     |    | 0  |      |
|       | Alarms/Utilities (Public)      | 3   | 1   | 1  |   | 5   |  |     |     |   |   | 0   |  |    |   |   | 0 |    | 3  | 1   | 1   |    | 5  |      |
|       | Loud Music                     | 10  | 4   |    |   | 14  |  | 24  | 7   |   |   | 31  |  |    | 1 |   | 1 |    | 34 | 12  | 1   |    | 46 |      |
|       | Party                          | 25  | 4   |    |   | 29  |  | 32  | 2   | 1 |   | 35  |  |    |   |   | 0 |    | 57 | 6   | 1   |    | 64 |      |
|       |                                |     |     |    |   |     |  |     |     |   |   |     |  |    |   |   |   |    |    |     |     |    |    |      |
| Total |                                | 361 | 112 | 25 | 0 | 498 |  | 403 | 155 | 9 | 0 | 567 |  | 22 | 8 | 0 | 0 | 30 |    | 784 | 274 | 36 | 0  | 1096 |

**Legend:**    **V** = Voluntary Compliance  
**NA** = No Action - violation cleared prior to police arrival  
**WN** = Warning notice issued  
**C** = Citation issued




**DT:** December 9, 2003

**TO:** Noise Ordinance Review Committee

**FR:** Jud Kurlancheek, AICP, Director  
Building, Zoning, and Planning Department

**RE:** Proposed Meeting Schedule and Methodology

| Meeting Number | Meeting Date | Issues/Subjects to be Addressed   |
|----------------|--------------|---|
| 1.             | July 2, 2002 | Committee reviews schedule and approves methodology<br><br>Police Department, Building, Zoning, and Planning Department, and Committee members identify problems in the administration of the Ordinance.  |
| 2.             | Aug 13       | Police Department, Building, Zoning, and Planning Department, and Committee members identify problems in the administration of the Ordinance (Continuation of the July 2 discussion).<br><br>Review of Key Biscayne Noise Ordinance<br><br>Committee initiates review how other municipalities deal with noise: Coral Gables, Aventura, and Pinecrest.<br>Presentation by the BZP Director.   |
| 3              | Sept 17      | Committee completes review how other municipalities deal with noise: Coral Gables, Aventura, and Pinecrest.<br>Presentation by the BZP Director.<br><br>Key Biscayne Noise Committee: Review of complaints and violations<br><br>Review of Key Biscayne Noise Ordinance Sec 17-3<br><div style="display: flex; justify-content: space-between;"> <div> <p>(a) Excessive noise</p> <p>(b) Horns, signaling devices, etc.</p> <p>(d) Animals, birds, etc.</p> <p>(e) Exhausts</p> </div> <div> <p>(f)</p> <p>(g) Firearms and explosives</p> <p>(p) Power tools and landscaping equipment</p> </div> </div> |

|   |             |  |
|---|-------------|--|
|  | Oct 15      | <p>Review of Key Biscayne Noise Ordinance Sec 17-3</p> <ul style="list-style-type: none"> <li>(k) Defect in Motor Vehicle or Motorboat</li> <li>(l) Hawkers/peddlers</li> <li>(m) Schools, courts, hospitals, places of religious worship</li> <li>(n) Aircraft</li> <li>(o) Open air concerts, musical broadcasts, etc.</li> <li>(q) Leaf blowers</li> </ul> <p>Section 17-4 Permits for Special Events<br/> Section 17-5 Exemptions<br/> Section 17-6 Enforcement<br/> Section 17-7 Penalties</p> <p>Review of complaints and violations</p> |
| 4.  | Nov 19      | <p>Section 17-3</p> <ul style="list-style-type: none"> <li>(c) Radios, Televisions, Photographs, Musical Instruments, etc.</li> <li>(f) Construction - Staff requests a clarification</li> <li>(h) Loudspeaker or sound amplification</li> </ul> <p>Review of Section 17-4 Permits for Special Events<br/> Review of Section 17-5 Exemptions<br/> Burglar Alarms - New Section</p>   |
| 6.  | Dec 17      | <p>Section 17-3 - reconsideration of previously approved sections</p> <ul style="list-style-type: none"> <li>(f) Construction - Staff requests a clarification</li> <li>(h) Loudspeaker or sound amplification</li> </ul> <p>Review of Section 17-4 Permits for Special Events<br/> Review of Section 17-5 Exemptions<br/> Review of Section 17-7 Penalties<br/> Burglar Alarms - New Section</p>  |
| 7.  | Jan 21,2003 | Final review of the Noise Ordinance Prior to the Committee's Public Hearing  |
| 8.  | Feb 18      | Committee holds a public hearing on the ordinance and submits recommendation to the Village Council. Public hearing to be advertised in The Islander News, posted in Village Hall, and listed on Village's website. At the conclusion of the hearing, changes are made, and the ordinance is forwarded to the Village Council.   |
| 9.  | Mar 17      | Committee appears before Council and requests public hearings (2).   |
| 10.   | April-May   | Council holds two public hearings.   |

## VILLAGE OF KEY BISCAYNE

### NOTICE OF PUBLIC MEETING REGARDING THE NOISE ORDINANCE REVIEW COMMITTEE (NORC)

PUBLIC NOTICE IS HEREBY GIVEN THAT THE NOISE ORDINANCE REVIEW COMMITTEE WILL HOLD A PUBLIC MEETING ON DECEMBER 17, 2003, 6:00 P.M., IN THE VILLAGE HALL/POLICE STATION, COMMUNITY ROOM

#140 (FIRST FLOOR), 88 W. MCINTYRE STREET KEY BISCAYNE, FL 33149. THE PURPOSE OF THE PUBLIC MEETING IS TO REVIEW, DISCUSS AND MAKE RECOMMENDATIONS TO THE VILLAGE COUNCIL REGARDING THE NOISE ORDINANCE. INTERESTED PARTIES ARE INVITED TO APPEAR AND BE HEARD OR SUBMIT WRITTEN COMMENTS TO THE BUILDING, ZONING, AND PLANNING DIRECTOR TO THE BUILDING, ZONING, AND PLANNING DIRECTOR AT 88 W. MCINTYRE STREET, KEY BISCAYNE, FL 33149. IF YOU HAVE ANY QUESTIONS WITH RESPECT TO THIS MATTER PLEASE CALL 305 365 8908.

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT OF 1990, ALL PERSONS WHO ARE DISABLED AND WHO NEED SPECIAL ACCOMMODATIONS TO PARTICIPATE IN THIS PROCEEDING BECAUSE OF THAT DISABILITY SHOULD CONTACT THE OFFICE OF THE VILLAGE CLERK, 88 WEST MCINTYRE STREET, KEY BISCAYNE, FLORIDA 33149, TELEPHONE NUMBER (305) 365-5511, NOT LATER THAN TWO BUSINESS DAYS PRIOR TO SUCH PROCEEDINGS.

IF A PERSON DECIDES TO APPEAL ANY DECISION MADE BY THE BOARD WITH RESPECT TO ANY MATTER CONSIDERED AT A MEETING OR HEARING, THAT PERSON WILL NEED A RECORD OF THE PROCEEDINGS AND, FOR SUCH PURPOSE, MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE, WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED (F.S.286.0105).

COMMENTS OF ANY INTERESTED PARTY RELATIVE TO THIS MATTER MAY BE SUBMITTED IN WRITING AND OR PRESENTED IN PERSON AT THE PUBLIC MEETING.

NOTICE IS HEREBY GIVEN THAT ONE OR MORE MEMBERS OF THE VILLAGE COUNCIL MAY BE ATTENDING THIS MEETING.

*Posted in the Village Hall December 10, 2003*